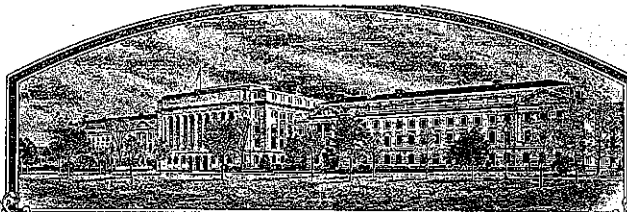


No.

200200267



# THE UNITED STATES OF AMERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME:

Resource Seeds, Inc.

Whereas, THERE HAS BEEN PRESENTED TO THE

Secretary of Agriculture

AN APPLICATION REQUESTING A CERTIFICATE OF PROTECTION FOR AN ALLEGED DISTINCT VARIETY OF SEXUALLY REPRODUCED, OR TUBER PROPAGATED PLANT, THE NAME AND DESCRIPTION OF WHICH ARE CONTAINED IN THE APPLICATION AND EXHIBITS, A COPY OF WHICH IS HEREUNTO ANNEXED AND MADE A PART HEREOF. AND THE VARIOUS REQUIREMENTS OF LAW IN SUCH CASES MADE AND PROVIDED HAVE BEEN COMPLIED WITH, AND THE TITLE THERETO IS, FROM THE RECORDS OF THE PLANT VARIETY PROTECTION OFFICE, IN THE APPLICANT(S) INDICATED IN THE SAID COPY, AND WHEREAS, UPON DUE EXAMINATION MADE, THE SAID APPLICANT(S) IS (ARE) ADJUDGED TO BE ENTITLED TO A CERTIFICATE OF PLANT VARIETY PROTECTION UNDER THE LAW.

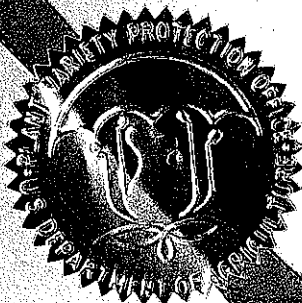
NOW, THEREFORE, THIS CERTIFICATE OF PLANT VARIETY PROTECTION IS TO GRANT UNTO THE SAID APPLICANT(S) AND THE SUCCESSORS, HEIRS OR ASSIGNS OF THE SAID APPLICANT(S) FOR THE TERM OF TWENTY YEARS FROM THE DATE OF THIS GRANT, SUBJECT TO THE PAYMENT OF THE REQUIRED FEES AND PERIODIC REPLENISHMENT OF VIABLE BASIC SEED OF THE VARIETY IN A PUBLIC REPOSITORY AS PROVIDED BY LAW, THE RIGHT TO EXCLUDE OTHERS FROM SELLING THE VARIETY, OR OFFERING IT FOR SALE, OR REPRODUCING IT, OR IMPORTING IT, OR EXPORTING IT, OR CONDITIONING IT FOR PROPAGATION, OR STOCKING IT FOR ANY OF THE ABOVE PURPOSE, OR USING IT IN PRODUCING A HYBRID OR DIFFERENT VARIETY THEREFROM, TO THE EXTENT PROVIDED BY THE PLANT VARIETY PROTECTION ACT. (84 STAT. 1542, AS AMENDED, 7 U.S.C. 2321 ET SEQ.)

TRITICALE

'2115'

In Testimony Whereof, I have hereunto set my hand and caused the seal of the Plant Variety Protection Office to be affixed at the City of Washington, D.C. this twenty ninth day of April, in the year two thousand three.

Attest:



*Pat M. J. [Signature]*

Commissioner  
Plant Variety Protection Office  
Agricultural Marketing Service

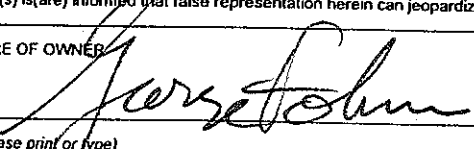
*[Signature]*

U.S. DEPARTMENT OF AGRICULTURE  
AGRICULTURAL MARKETING SERVICE  
SCIENCE AND TECHNOLOGY - PLANT VARIETY PROTECTION OFFICE

The following statements are made in accordance with the Privacy Act of 1974 (5 U.S.C. 552a) and the Paperwork Reduction Act (PRA) of 1995.

Application is required in order to determine if a plant variety protection certificate is to be issued (7 U.S.C. 2421). Information is held confidential until certificate is issued (7 U.S.C. 2426).

APPLICATION FOR PLANT VARIETY PROTECTION CERTIFICATE  
(Instructions and information collection burden statement on reverse)

1. NAME OF OWNER Resource Seeds, Inc.		2. TEMPORARY DESIGNATION OR EXPERIMENTAL NAME 42115		3. VARIETY NAME 2115	
4. ADDRESS (Street and No., or R.F.D. No., City, State, and ZIP Code, and Country) 2280 Hecker Pass Highway Gilroy, California 95020		5. TELEPHONE (include area code) 408/847-1051		FOR OFFICIAL USE ONLY 200200267 FILING DATE Sept. 19, 2002	
		6. FAX (include area code) 408/847-0604			
7. IF THE OWNER NAMED IS NOT A "PERSON". GIVE FORM OF ORGANIZATION (corporation, partnership, association, etc.) Corporation		8. IF INCORPORATED, GIVE STATE OF INCORPORATION California		9. DATE OF INCORPORATION October 1, 1990	
10. NAME AND ADDRESS OF OWNER REPRESENTATIVE(S) TO SERVE IN THIS APPLICATION (First person listed will receive all papers) Dr. George Fohner Resource Seeds, Inc. P.O. Box 1319 Gilroy, CA 95021					FILING AND EXAMINATION FEES: \$ 2705. <sup>00</sup> DATE 9/19/2002 CERTIFICATION FEE: \$ 432. <sup>00</sup> DATE 3/3/03
11. TELEPHONE (Include area code) 408/847-1051		12. FAX (Include area code) 408/847-0604		13. E-MAIL george@resourceseeds.com	
14. CROP KIND (Common Name) Triticale					
18. CHECK APPROPRIATE BOX FOR EACH ATTACHMENT SUBMITTED (Follow instructions on reverse) a. <input checked="" type="checkbox"/> Exhibit A. Origin and Breeding History of the Variety b. <input checked="" type="checkbox"/> Exhibit B. Statement of Distinctness c. <input checked="" type="checkbox"/> Exhibit C. Objective Description of Variety d. <input type="checkbox"/> Exhibit D. Additional Description of the Variety (Optional) e. <input checked="" type="checkbox"/> Exhibit E. Statement of the Basis of the Owner's Ownership f. <input checked="" type="checkbox"/> Voucher Sample (2,500 viable untreated seeds or, for tuber propagated varieties, verification that tissue culture will be deposited and maintained in an approved public repository) g. <input checked="" type="checkbox"/> Filing and Examination Fee \$2,705 (made payable to "Treasurer of the United States" (Mail to the Plant Variety Protection Office))			19. DOES THE OWNER SPECIFY THAT SEED OF THIS VARIETY BE SOLD AS A CLASS OF CERTIFIED SEED? See Section 83(a) of the Plant Variety Protection Act <input type="checkbox"/> YES (If "yes", answer items 20 and 21 below) <input checked="" type="checkbox"/> NO (If "no," go to item 22)		
20. DOES THE OWNER SPECIFY THAT SEED OF THIS VARIETY BE LIMITED AS TO NUMBER OF CLASSES? IF YES, WHICH CLASSES? <input type="checkbox"/> FOUNDATION <input type="checkbox"/> REGISTERED <input type="checkbox"/> CERTIFIED			21. DOES THE OWNER SPECIFY THAT THE CLASSES BE LIMITED AS TO NUMBER OF GENERATIONS? IF YES, SPECIFY THE NUMBER 1, 2, 3, etc. <input type="checkbox"/> FOUNDATION <input type="checkbox"/> REGISTERED <input type="checkbox"/> CERTIFIED (If additional explanation is necessary, please use the space indicated on the reverse.)		
22. HAS THE VARIETY (INCLUDING ANY HARVESTED MATERIAL) OR A HYBRID PRODUCED FROM THIS VARIETY BEEN SOLD, DISPOSED OF, TRANSFERRED, OR USED IN THE U. S. OR OTHER COUNTRIES? <input checked="" type="radio"/> YES <input type="radio"/> NO IF YES, YOU MUST PROVIDE THE DATE OF FIRST SALE, DISPOSITION, TRANSFER, OR USE FOR EACH COUNTRY AND THE CIRCUMSTANCES. (Please use space indicated on reverse.)			23. IS THE VARIETY OR ANY COMPONENT OF THE VARIETY PROTECTED BY INTELLECTUAL PROPERTY RIGHT (PLANT BREEDER'S RIGHT OR PATENT)? <input type="radio"/> YES <input checked="" type="radio"/> NO IF YES, GIVE COUNTRY, DATE OF FILING OR ISSUANCE AND ASSIGNED REFERENCE NUMBER. (Please use space indicated on reverse.)		
24. The owners declare that a viable sample of basic seed of the variety will be furnished with application and will be replenished upon request in accordance with such regulations as may be applicable, or for a tuber propagated variety a tissue culture will be deposited in a public repository and maintained for the duration of the certificate. The undersigned owner(s) is(are) the owner of this sexually reproduced or tuber propagated plant variety, and believe(s) that the variety is new, distinct, uniform, and stable as required in Section 42, and is entitled to protection under the provisions of Section 42 of the Plant Variety Protection Act. Owner(s) is(are) informed that false representation herein can jeopardize protection and result in penalties:					
SIGNATURE OF OWNER 			SIGNATURE OF OWNER		
NAME (Please print or type) George Fohner			NAME (Please print or type)		
CAPACITY OR TITLE President		DATE 9/16/02		CAPACITY OR TITLE	
				DATE	

**GENERAL:** To be effectively filed with the Plant Variety Protection Office (PVPO), ALL of the following items must be received in the PVPO: (1) Completed application form signed by the owner; (2) completed exhibits A, B, C, E; (3) for a seed reproduced variety at least 2,500 viable untreated seeds; for a hybrid variety at least 2,500 untreated seeds of each line necessary to reproduce the variety, or for tuber reproduced varieties verification that a viable (in the sense that it will reproduce an entire plant) tissue culture will be deposited and maintained in an approved public repository; (4) check drawn on a U.S. bank for \$2,450 (\$300 filing fee and \$2,150 examination fee), payable to "Treasurer of the United States" (See Section 97.6 of the Regulations and Rules of Practice.) Partial applications will be held in the PVPO for not more than 90 days, then returned to the applicant as unfilled. Mail application and other requirements to Plant Variety Protection Office, AMS, USDA, Room 500, NAL Building, 10301 Baltimore Avenue, Beltsville, MD 20705-2351. Retain one copy for your files. All items on the face of the application are self explanatory unless noted below. Corrections on the application form and exhibits must be initialed and dated. DO NOT use masking materials to make corrections. If a certificate is allowed, you will be requested to send a check payable to "Treasurer of the United States" in the amount of \$300 for issuance of the certificate. Certificates will be issued to owner, not licensee or agent.

Plant Variety Protection Office

Telephone: (301) 504-5518

FAX: (301) 504-5291

Homepage: <http://www.ams.usda.gov/science/pvp.htm>

#### ITEM

- 18a. Give: (1) the genealogy, including public and commercial varieties, lines, or clones used, and the breeding method; (2) the details of subsequent stages of selection and multiplication; (3) evidence of uniformity and stability; and (4) the type and frequency of variants during reproduction and multiplication and state how these variants may be identified
- 18b. Give a summary of the variety's distinctness. Clearly state how this application variety may be distinguished from all other varieties in the same crop. If the new variety is most similar to one variety or a group of related varieties:
- (1) identify these varieties and state all differences objectively;
  - (2) attach statistical data for characters expressed numerically and demonstrate that these are clear differences; and
  - (3) submit, if helpful, seed and plant specimens or photographs (prints) of seed and plant comparisons which clearly indicate distinctness.
- 18c. Exhibit C forms are available from the PVPO Office for most crops; specify crop kind. Fill in Exhibit C (Objective Description of Variety) form as completely as possible to describe your variety.
- 18d. Optional additional characteristics and/or photographs. Describe any additional characteristics that cannot be accurately conveyed in Exhibit C. Use comparative varieties as is necessary to reveal more accurately the characteristics that are difficult to describe, such as plant habit, plant color, disease resistance, etc.
- 18e. Section 52(5) of the Act requires applicants to furnish a statement of the basis of the applicant's ownership. An Exhibit E form is available from the PVPO.
19. If "Yes" is specified (seed of this variety be sold by variety name only, as a class of certified seed), the applicant MAY NOT reverse this affirmative decision after the variety has been sold and so labeled, the decision published, or the certificate issued. However, if "No" has been specified, the applicant may change the choice. (See Regulations and Rules of Practice, Section 97.103).
22. See Sections 41, 42, and 43 of the Act and Section 97.5 of the regulations for eligibility requirements.
23. See Section 5.5 of the Act for instructions on claiming the benefit of an earlier filing date.

22. CONTINUED FROM FRONT (Please provide the date of first sale, disposition, transfer, or use for each country and the circumstances, if the variety including any harvested material) or a hybrid produced from this variety has been sold, disposed of, transferred, or used in the U.S. or other countries.)

USA, October, 2001, for seed multiplication and test marketing.

3. CONTINUED FROM FRONT (Please give the country, date of filing or issuance, and assigned reference number, if the variety or any component of the variety is protected by intellectual property right (Plant Breeder's Right or Patent).)

**NOTES:** It is the responsibility of the applicant/owner to keep the PVPO informed of any changes of address or change of ownership or assignment or owner's representative during the life of the application/certificate. There is no charge for filing a change of address. The fee for filing a change of ownership or assignment or any modification of owner's name is specified in Section 97.175 of the regulations. (See Section 101 of the Act, and Sections 97.130, 97.131, 97.175(h) of the Regulations and Rules of Practice.)

To avoid conflict with other variety names in use, the applicant must check the variety names proposed by contacting: Seed Branch, AMS, USDA, Room 213, Building 306, Beltsville Agricultural Research Center-East, Beltsville, MD 20705. Telephone: (301) 504-8089.

Public reporting burden for this collection of information is estimated to average 30 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to Department of Agriculture, Clearance Officer, OIRM, AG Box 7630, Jamie L. Whitten Building, Washington, D.C. 20250. When replying, refer to OMB No. 0581-0055 and form number in your response. Under the PRA of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. The U.S. Department of Agriculture (USDA) prohibits discrimination in its programs on the basis of race, color, national origin, sex, religion, age, disability, political beliefs, and marital or familial status. (Not all prohibitions apply to all programs). Persons with disabilities who require alternative means for communication of program information (braille, large print, audiotape, etc.) should contact the USDA Office of Communications at (202) 720-2791. To file a complaint, write the Secretary of Agriculture, U.S. Department of Agriculture, Washington, D.C. 20250, or call (202) 720-7327 (voice) or (202) 720-1127 (TDD). USDA is an equal opportunity employer.

470 (6-98) designed by the Plant Variety Protection Office with WordPerfect 6.0a. Replaces STD-470 (03-96) which is obsolete.

**'2115' TRITICALE****Exhibit A. Origin and breeding history of the variety.**

Triticale "2115" (Experimental triticale 97TN42115) is the result of hybridization, individual plant and bulk selection from the cross Presto//MZ4/XT419. Presto is a Polish winter triticale variety. MZ4 is a winter triticale breeding line obtained from Dr. Robert Mezger from his collection at Oregon State University. XT419 is a selection from the cross X28486/ A876OT made in 1986. X28486 is a winter triticale and A876OT is a spring triticale, both in the germplasm collection acquired by Resource Seeds from Pioneer Hi-Bred International.

The cross of Presto with the parent MZ4/XT419 was made in 1994 at Woodland, Ca. The F1 generation was grown in Gonzales, Ca. All even numbered plant selection generations were grown in North Carolina and all odd numbered ones were grown in California. The F4 generation plant seed was bulk harvested to begin yield testing in the F5 generation in 1997. A seed purification program was also begun in 1997. Head selections grown at Gonzales during the summer of 1997 were advanced to 1998 North Carolina yield trials to identify the most uniform, high yield lines to carry forward. In 1999 one head-row line was selected to represent the line 97TN42115. This line designated 97TN42115-A was advanced to our California location where breeder seed was produced, also in 1999. Foundation seed is being produced in North Carolina for harvest in the year 2000.

2115 has been phenotypically stable and uniform through four generations of seed multiplication. It has been noted during seed multiplication that a taller variants, of both earlier and later maturity, can be found at a frequency of up to 1%.

**'2115' TRITICALE****Exhibit A. Origin and breeding history of the variety. (continued)**

Table A1. Selection Criteria

Generation	Criteria for Selection
P1 x P2	None
F1	None
F2 through F5	<p>Select for overall plant health, appearance, and minimal lesions and symptoms from pathogens as proxy for resistance or tolerance to:</p> <p>Powdery mildew  Leaf rust  Leaf and glume blotch  Tan spot</p> <p>Select for minimal damage from insect feeding as proxy for resistance or tolerance to:</p> <p>Hessian Fly  Cereal leaf beetle</p> <p>Select for:</p> <p>High tiller number  Seed color (red)  Seed plumpness</p> <p>Select against:</p> <p>Lodging</p>
F6 & F7	<p>Select for:</p> <p>High grain yield  Reduced lodging  Little or no disease</p> <p>High yield stability was first noted in the F6 generation and confirmed in all subsequent generations.</p>

**'2115' TRITICALE****Exhibit B. Statement of Distinctness**

2115 triticale is most similar to the triticale variety, "498". 2115 differs from 498 in being approximately 4 inches shorter (Table B1), and approximately ten days later to head out (Table B2). 2115 differs from triticale "308" in that 2115 has prostrate juvenile growth while that of 308 is erect, an upright leaf carriage while that of 308 is recurved, purple auricles while those of 308 is white, and a white coleoptile while that of 308 is purple.

Table B1. Plant Height (inches)  
University Yield Trials

Year	Location	2115	498	LSD (0.05)
2000	Blackville, S. Carolina	37	41	2.6
2000	Florence, S. Carolina	39	44	3
2001	Blackville, S. Carolina	41	44	2.8
2001	Clemson, S. Carolina	34	40	3.6
2001	Florence, S. Carolina	35	40	2.6
2001	Rowan, N. Carolina	29	31	NA
2001	VPI Grain Yield Trials	35	39	2
2002	Clemson, S. Carolina	34	37	4
2002	Orange, Virginia	38	45	2
	AVERAGE	36	40	

Table B2. Heading Date

University Yield Trials

Year	Location	2115	498	LSD (0.05)
		Number of Days after March 1		
2000	Clemson, S. Carolina	48	40	NA
2001	Clemson, S. Carolina	57	45	3
2001	VPI Grain Yield Trials	60	55	1
2001	Rowan, N. Carolina	49	35	4
2002	Clemson, S. Carolina	51	42	NA
	AVERAGE	53	43	

U.S. DEPARTMENT OF AGRICULTURE  
AGRICULTURAL MARKETING SERVICE  
LIVESTOCK, MEAT, GRAIN AND SEED DIVISION  
BELTSVILLE, MARYLAND 20705  
**OBJECTIVE DESCRIPTION OF VARIETY**

**EXHIBIT C**  
(Triticale)

**TRITICALE**

NAME OF APPLICANT(S) <b>RESOURCE SEEDS, INC.</b>	VARIETY NAME OR TEMPORARY DESIGNATION <b>2115</b>
ADDRESS (Street and No., or F.F.D. No., City, State, and ZIP Code) <b>P.O. BOX 1319, GILROY, CA 95021</b>	FOR OFFICIAL USE ONLY PVPO NUMBER <b>200200267</b>

Place the appropriate number that describes the varietal character of this variety in the boxes below.

Place a zero in first box (e.g.,  or ) when number is either 99 or less or 9 or less.**1. GROWTH HABIT:**

<input type="text" value="2"/>	1 = SPRING	2 = INTERMEDIATE	3 = WINTER
<input type="text" value="1"/>	Juvenile Plant Growth:	1 = PROSTRATE	2 = SEMIPROSTRATE
		3 = ERECT	
<input type="text" value="2"/>	Photoperiod:	1 = INSENSITIVE	2 = SENSITIVE

**2. PLOIDY:**

<input type="text" value="1"/>	1 = HEXAPLOID	2 = OCTOPLOID	3 = OTHER (Specify) _____
<input type="text" value="4"/> <input type="text" value="2"/>	2n CHROMOSOME NUMBER		

**3. MATURITY (50% Flowering):**

<input type="text" value="4"/>	1 = VERY EARLY	2 = EARLY	3 = MIDSEASON	4 = LATE	5 = VERY LATE
<input type="text" value="1"/> <input type="text" value="1"/>	DAYS EARLIER THAN	<input type="text" value="498"/>	} 1 = CARMACK 2 = ROSNER 3 = PATHFINDER 4 = 6TA 204 5 = ARMADILLA		
	DAYS LATER THAN				

**4. HEIGHT:**

<input type="text" value="0"/> <input type="text" value="9"/> <input type="text" value="0"/>	CM. HIGH	<input type="text" value="3"/>	1 = DWARF	2 = SEMIDWARF	3 = SHORT
<input type="text" value="1"/> <input type="text" value="0"/>	CM. SHORTER THAN	<input type="text" value="498"/>	} 1 = CARMACK 2 = ROSNER 3 = PATHFINDER 4 = 6TA 204 5 = ARAMADILLA		
	CM. TALLER THAN				

**5. PLANT COLOR AT BOOT STAGE:**

<input type="text" value="3"/>	1 = YELLOW GREEN	2 = GREEN	3 = BLUE GREEN
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**6. STEM:**

<input type="text" value="1"/>	Anthocyanin:	1 = ABSENT	2 = PRESENT
<input type="text" value="4"/>	Neck Hairiness:	1 = NONE	2 = SLIGHT
		3 = MODERATE	4 = HEAVY
<input type="text" value="2"/>	Shape Of Neck:	1 = STRAIGHT	2 = WAVY
		3 = OTHER (Specify) _____	

**7. LEAVES:**

<input type="text" value="2"/>	Flag Leaf:	1 = NOT TWISTED	2 = TWISTED	<input type="text" value="3"/> <input type="text" value="2"/>	CM. LEAF LENGTH: 1st Leaf Below Flag Leaf
<input type="text" value="2"/>	Waxy Bloom On Leaf At Boot:	1 = ABSENT	2 = PRESENT	<input type="text" value="1"/> <input type="text" value="4"/>	MM. LEAF WIDTH: 1st Leaf Below Flag Leaf
<input type="text" value="1"/>	Leaf Carriage:	1 = UPRIGHT	2 = RECURVED	<input type="text" value="2"/>	Auricle Color: 1 = COLORLESS OR WHITE 2 = PURPLE
		3 = DROOPING			3 = OTHER (Specify) _____

## 8. HEAD:

<input type="text" value="1"/>	Density:	1 = LAX	2 = MIDDENSE	3 = DENSE		
<input type="text" value="5"/>	Shape:	1 = FUSIFORM	2 = OBLONG	3 = CLAVATE	4 = ELLIPTICAL	5 = OTHER (Specify <u>tapering</u> )
<input type="text" value="4"/>	Awnedness:	1 = AWNLESS	2 = APICALLY AWNLETTERED	3 = AWNLETTERED	4 = AWNED	
<input type="text" value="3"/>	Awn Color:	1 = WHITE	2 = YELLOW	3 = TAN	4 = BROWN	5 = BLACK
<input type="text" value="1"/>	<input type="text" value="2"/>	CM. HEAD LENGTH		<input type="text" value="1"/>	<input type="text" value="0"/>	MM. HEAD WIDTH

## 9. GLUMES AT MATURITY:

<input type="text" value="1"/>	Pubescence:	1 = GLABROUS	2 = SLIGHTLY PUBESCENT	3 = PUBESCENT		
<input type="text" value="3"/>	Color:	1 = WHITE	2 = YELLOW	3 = TAN	4 = BROWN	5 = BLACK
<input type="text" value="3"/>	Length:	1 = SHORT	2 = MIDLONG	3 = LONG	<input type="text" value="1"/>	Width: 1 = NARROW 2 = MIDWIDE 3 = WIDE
<input type="text" value="2"/>	Shoulder:	1 = WANTING	2 = OBLIQUE	3 = ROUNDED	<input type="text" value="3"/>	Beak: 1 = OBTUSE 2 = ACUTE 3 = ACUMINATE
		4 = SQUARE	5 = ELEVATED	6 = APICULATE		

## 10. COLEOPTILE COLOR:

<input type="text" value="1"/>	1 = WHITE	2 = GREEN	3 = PURPLE
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## 11. SEED:

<input type="text" value="3"/>	Shape:	1 = OVATE	2 = OVAL	3 = ELLIPTICAL			
<input type="text" value="2"/>	Smoothness:	1 = SMOOTH	2 = SLIGHTLY WRINKLED	3 = WRINKLED			
<input type="text" value="3"/>	Brush Area:	1 = SMALL	2 = MIDSIZE	3 = LARGE			
<input type="text" value="3"/>	Brush Length:	1 = SHORT	2 = MIDLONG	3 = LONG			
<input type="text" value=""/>	Phenol Reaction:	1 = IVORY	2 = FAWN	3 = LIGHT BROWN	4 = BROWN	5 = BROWN BLACK	
<input type="text" value="3"/>	Color:	1 = WHITE	2 = AMBER	3 = RED	4 = PURPLE	5 = BLACK	6 = OTHER (Specify) _____
<input type="text" value="4"/>	<input type="text" value="3"/>	GMS. PER 1,000 SEED					

## 12. DISEASE (0 = Not Tested, 1 = Susceptible, 2 = Resistant, 3 = Tolerant):

<input type="text" value=""/>	STEM RUST (Races) _____	<input type="text" value=""/>	LEAF RUST (Races) _____
<input type="text" value=""/>	STRIPE RUST (Race) _____	<input type="text" value=""/>	ERGOT
<input type="text" value=""/>	POWDERY MILDEW _____	<input type="text" value=""/>	BACTERIAL STRIPE
<input type="text" value=""/>	SEPTORIA	<input type="text" value=""/>	YELLOW DWARF
<input type="text" value=""/>	OTHER (Specify) _____	<input type="text" value=""/>	OTHER (Specify) _____

## 13. INSECT (0 = Not Tested, 1 = Susceptible, 2 = Resistant, 3 = Tolerant):

<input type="text" value=""/>	GREENBUG	HESSIAN FLY RACE:							
<input type="text" value=""/>	CEREAL LEAF BEETLE	<input type="text" value=""/>	GP	<input type="text" value=""/>	A	<input type="text" value=""/>	B	<input type="text" value=""/>	C
<input type="text" value=""/>	OTHER (Specify) _____	<input type="text" value=""/>	D	<input type="text" value=""/>	E	<input type="text" value=""/>	F	<input type="text" value=""/>	G



14. INDICATE WHICH VARIETY MOST CLOSELY RESEMBLES THAT SUBMITTED:

200200267

CHARACTER	VARIETY
PLANT TILLERING	Presto
WINTER HARDINESS	498
AREA OF ADAPTATION	498
SEED SHAPE	

REFERENCES:

L. W. Briggie and L. P. Reitz, 1963, Classification of Triticum Species and Wheat Varieties Grown in the United States, Technical Bulletin 1278, USDA.

W. E. Walls, 1965, A Standardized Phenol Method for Testing Wheat Seeds for Varietal Purity, Contribution No. 28 to the handbook of seed testing prepared by the Association of Official Seed Analysts.

COMMENTS:

U.S. DEPARTMENT OF AGRICULTURE  
AGRICULTURAL MARKETING SERVICE

The following statements are made in accordance with the Privacy Act of 1974 (5 U.S.C. 552a) and the Paperwork Reduction Act (PRA) of 1995.

**EXHIBIT E**  
**STATEMENT OF THE BASIS OF OWNERSHIP**

Application is required in order to determine if a plant variety protection certificate is to be issued (7 U.S.C. 2421). Information is held confidential until certificate is issued (7 U.S.C. 2426).

1. NAME OF APPLICANT(S)  RESOURCE SEEDS, INC.	2. TEMPORARY DESIGNATION OR EXPERIMENTAL NUMBER  42115	3. VARIETY NAME  2115
4. ADDRESS (Street and No., or R.F.D. No., City, State, and ZIP, and Country)  P.O. Box 1319, Gilroy, CA 95021	5. TELEPHONE (include area code)  408/847-1051	6. FAX (include area code)  408/847-0604
	7. PVPO NUMBER  <b>200200267</b>	

8. Does the applicant own all rights to the variety? Mark an "X" in appropriate block. If no, please explain. ☒ YES ☐ NO9. Is the applicant (individual or company) a U.S. national or U.S. based company? ☒ YES ☐ NO  
If no, give name of country10. Is the applicant the original owner? ☒ YES ☐ NO If no, please answer one of the following:

a. If original rights to variety were owned by individual(s), is (are) the original owner(s) a U.S. national(s)?

☐ YES ☐ NO If no, give name of country

b. If original rights to variety were owned by a company(ies), is(are) the original owner(s) a U.S. based company?

☐ YES ☐ NO If no, give name of country

11. Additional explanation on ownership (if needed, use reverse for extra space):

**PLEASE NOTE:**

Plant variety protection can be afforded only to owners (not licensees) who meet one of the following criteria:

1. If the rights to the variety are owned by the original breeder, that person must be a U.S. national, national of a UPOV member country, or national of a country which affords similar protection to nationals of the U.S. for the same genus and species.
2. If the rights to the variety are owned by the company which employed the original breeder(s), the company must be U.S. based, owned by nationals of a UPOV member country, or owned by nationals of a country which affords similar protection to nationals of the U.S. for the same genus and species.
3. If the applicant is an owner who is not the original owner, both the original owner and the applicant must meet one of the above criteria.

The original breeder/owner may be the individual or company who directed final breeding. See Section 41(a)(2) of the Plant Variety Protection Act for definition.

According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0581-0055. The time required to complete this information collection is estimated to average 10 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

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To file a complaint, write the Secretary of Agriculture, U.S. Department of Agriculture, Washington, D.C. 20250, or call 1-800-245-6340 (voice) or (202) 720-1127 (TDD). USDA is an equal employment opportunity employer.